

SEWAGE, WASTEWATER, AND SANITATION HEARING BOARD MEETING MINUTES

Members

Ronald J. Anderson, P.E., Chair
Steven H. Brigman, P.E., Vice Chair
Michele C. Dennis, P.E.
Matthew Buehler
Vonnie Fundin

Thursday, February 11, 2016

6:00 p.m.

Washoe County Administration Complex
Health District South Conference Room
1001 East Ninth Street
Reno, NV

1. *Roll Call and Determination of Quorum

Chair Anderson called the meeting to order at 6:00 p.m.

The following members and staff were present:

Members present: Ronald J. Anderson, P.E., Chair
Steven H. Brigman, P.E., Vice Chair
Michele C. Dennis, P.E.
Matthew Buehler
Vonnie Fundin

Members absent: None

Ms. Spinola verified a quorum was present.

Staff present: Leslie Admirand, Deputy District Attorney
Jim English, Environmental Health Specialist Supervisor, EHS
Wesley Rubio, Environmental Health Specialist, EHS
Dawn Spinola, Administrative Secretary/Recording Secretary, ODHO

2. *Public Comment

As there was no one wishing to speak, Chair Anderson closed the public comment period.

3. Approval of Draft Minutes

August 8, 2013

Ms. Dennis moved to accept the minutes of the August 8, 2013 Sewage, Wastewater, & Sanitation Board (SWS Board) regular meeting as written. Vice Chair Brigman seconded the motion which was approved unanimously.

4. Discussion of Washoe County District Board of Health consent approval at the August 8, 2013 meeting regarding Case No. 1-13(S) (Richard Cook) reviewed by the SWS Hearing Board on August 8, 2013.

Mr. Rubio informed the Board that the case, which they had approved, had also been approved by the District Board of Health (DBOH).

Chair Anderson clarified that the SWS Board was only authorized to make recommendations for approval or denial. The final decision is made by the DBOH.

5. Public Hearing to consider staff's recommendation to approve the request to vary the requirements of Section 120.075 of the Washoe County District Board of Health Regulations Governing Sewage, Wastewater, & Sanitation – Minimum lot size for on-site septic.

Variance Case #1-16S
Mr. John Lindberg
20957 Eaton Rd.
Reno, NV 89521
Assessor's Parcel Number 045-337-11
Parcel 2, Block D
Pleasant Valley Estates
Washoe County, NV

Mr. Rubio reviewed the staff report, noting that all requirements were being met with the exception of the fact the lot was too small for two dwellings and two septic systems. If the variance is not approved, the owner will be required to remove the second dwelling unit.

Chair Anderson noted the SWS Board had reviewed a number of variances, and he has had opportunity to submit them as well. He stated he had been surprised that there was no Variance application. He noted the application contained a list of required supporting items, and none of those items had been included in the Board packet.

Chair Anderson pointed out that to the best of his knowledge, certification by a Professional Engineer (PE) was required that stated the design met all requirements, as well as a certification the work had been completed in accordance with the design. He noted that also was not available for review.

Chair Anderson stated he had reservations based not only on the administrative matters but also on some other technical issues. He opined the regulations were clear that a complete application should have been submitted.

Vice Chair Brigman agreed, opining the information was incomplete. He pointed out the owner was requesting a substantial deviation from regulations. Because something was proposed to be done that was outside of regulations, some form of accountability should be identified. The PE certification may have been sufficient. He noted he did not wish to set a precedence that the Board would make a recommendation without thoroughly reviewing all required documentation.

Ms. Dennis stated the lack of the application made her uncomfortable because it would contain a list of things to be varied. The list would provide the specific regulations that the requester would like to vary, giving the Board something more to go on. She pointed out the Board had a responsibility to be very clear on which regulations were being varied and why.

Mr. Rubio explained the reason the percolation (perc) test was not included was that there was no need to conduct one. The area proposed for the new septic and leach field had been previously approved in the original design. Calculations were done to create the additional leach area in accordance with standard practice when living space is to be increased. As the area had already been approved, an updated engineered design, an engineering review and a perc test were not required.

Ms. Dennis opined the Board would expect receipt of that information as part of the

application so that they had the background information. It was still a variance, even if it was based on the previously-installed system. She noted they were being asked to approve a variance based on their professional abilities without having all of the necessary information. She noted the importance of adhering to the variance process.

Vice Chair Brigman stated the Board respected the work performed by staff. He explained he reviews the materials thoroughly prior to the meetings and reiterated his opinion that the inclusion of the information would have been helpful.

Chair Anderson opined the meeting should be continued after the Board had been provided all required supporting materials. Vice Chair Brigman suggested, as an alternative, a staff explanation as to why the steps did not need to be followed in this particular case could be provided. Ms. Dennis suggested the information provided should include a list of the regulations that are requested to be varied. She opined the homeowner was in a bad situation and acknowledged that having to have to wait longer due to the meeting being pushed back could cause a challenge, so the meeting should be held at the earliest opportunity.

DDA Admirand advised the next meeting would only require three days' notice, and it would be acceptable to push it back until staff had compiled the information to bring back to the Board.

Chair Anderson indicated that if the Variance application and the required attachments were provided, that would be sufficient. If it was not necessary for an engineer to be involved, that should be explained. He noted the Board could discuss areas and slope requirements during the current meeting if they wished to.

Mr. Rubio noted staff had verified that 20-foot-to-daylight slope requirement where the repair leach line would be installed would meet requirements. Staff does not feel that the topographical map truly represents the area, but it would meet the cover requirements as not exceeding over 8 feet.

Vice Chair Brigman opined another septic tank and leach line for that in-law quarters would be necessary.

Mr. Rubio explained staff had proposed an additional 1,000 tank to address the in-law quarters. There is an existing 1,000 gallon tank so that will create a total of a 2,000-gallon in-line capacity.

Vice Chair Brigman asked if the in-law quarters utilized gravity flow to a lift station with an existing grinder pump. Mr. Rubio explained that was not specifically what was there, the current system pumped through the plumbing in the main house.

Vice Chair Brigman noted a corrective tank located on the property and Mr. Rubio explained that had been the location of the original septic tank. When the in-law quarters had been built it was originally permitted as a barn or storage. At some point in time it did become living space and was pumping through the house plumbing. That was being addressed so that the project will be meeting all the building codes for plumbing lines.

Mr. Rubio went on to state that the reason the septic tank was located where it was is so that it would be in-line to meet the 2,000-gallon capacity requirement for the parcel. Staff worked with the homeowner to arrive at the compromise of installing the additional 1,000 gallon tank. Staff felt that would adequately address concerns with regulations and the solids, and would provide adequate access to the tank. Mr. Rubio noted physical access to the area was difficult, so staff had worked with the contractor, who proposed the longer run with a grinder. Staff agreed that would meet requirements and allowed it.

Mr. Fundin stated he was personally familiar with the property and opined meeting the requirements would not be a challenge.

Chair Anderson noted that his concerns were based on technical details, such as the area of the lot as addressed in Table 1 of the regulations regarding lot size requirements. He noted he had submitted similar Variance applications and been held up or denied because of them. He stated he had checked the slope on the lot and it was approximately 11%, and the back of the field is approximately 15%. According to his interpretation of Table 1, the minimum lot size would need to be more than one acre. If the two building units are factored by the minimum lot area, that would equal a requirement of three acres.

Mr. Rubio noted that was correct, however Table 1 addressed creation of a new parcel or a parcel map for a subdivision. The regulation he had specifically cited was the regulation for an existing parcel.

Mr. English stated February 18 would not be a viable alternative for the next meeting date due to the noticing requirement and the importance of taking adequate time to compile a complete proposal for the Board's review. Mr. Rubio suggested March 10.

Chair Anderson moved to continue the meeting, with the reason being that the application is incomplete for a thorough evaluation for the merits of the case. Vice Chair Brigman seconded the motion which passed unanimously.

6. *Public Comment

As there was no one wishing to speak, Chair Anderson closed the public comment period.

7. Adjournment

At 6:23 p.m., Chair Anderson adjourned the meeting.

Respectfully submitted,



James English, Environmental Health Specialist Supervisor
Secretary to the Sewage, Wastewater and Sanitation Board



Dawn Spinola, Administrative Secretary
Recording Secretary

Approved by Board in session on March 10, 2016.